

Landscape Referral Response

Application Number:	DA2019/0308
Date:	13/06/2019
Responsible Officer:	David Auster
Land to be developed (Address):	Lot 7 DP 5711 , 5 A Hilltop Crescent FAIRLIGHT NSW 2094

Reasons for referral

This application seeks consent for the following:

- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

Officer comments

The landscape component of the proposal is acceptable subject to the protection of existing trees and vegetation, and the completion of landscaping.

Council's Landscape section have assessed the application against the landscape controls of Manly DCP2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types, and specifically: 3.3.1 Landscaping Design; 3.3.2 Preservation of Trees or Bushland Vegetation; and 4.1.5 Open Space and Landscaping.

A Landscape Plan is provided in accordance with DA Lodgement Requirements, and satisfies the requirements of Manly DCP2013, subject to conditions.

A Arboricultural Impact Assessment report is provided in accordance with DA Lodgement Requirements, and provides tree protection measures for the existing street tree and trees located in close vicinity to development.

Referral Body Recommendation

Recommended for approval, subject to conditions

Refusal comments

Recommended Landscape Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

On Slab landscape works

- i) Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of waterproofing to all internal walls and slab, and drainage of the Terrace planter over which soil and planting is being provided,
- ii) Landscape treatment details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, services connections, and maintenance activity schedule,
- iii) The following minimum soil depths are required to support landscaping as proposed:
-600mm for shrubs
- iv) Design certification shall be submitted to the Certifying Authority by a structural engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: to ensure appropriate and secure waterproofing and drainage is installed to direct water flow into the drainage system.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree protection measures

A Project Arborist with AQZ Level 5 qualification in arboriculture/horticulture is to be appointed to supervise and certify tree protection measures for the existing trees nominated for retention and protection in the Arboricultural Impact Assessment report prepared by Urban Arbor, being existing trees identified as 1, 4, and 5 in close proximity to development, including complying with the works outlined in section 11. Tree Protection Requirements and section 12. Construction Hold Points for Tree Protection, and generally in accordance with Detail 2 - Tree protection measure shown on the Landscape Plan.

The Project Arborist shall attend site during excavation and construction works within the tree protection zone (TPZ) of the existing trees as nominated in the Arboricultural Impact Assessment report.

The tree protection measures specified in this clause must:

- i) be in place before work commences on the site, and
- ii) be maintained in good condition during the construction period, and
- iii) remain in place for the duration of the construction works.

The Project Arborist shall submit certification during all stages of the works (excavation and construction) and prior to Occupation Certificate to the Certifying Authority that all tree protection measures as recommended by the Project Arborist have been completed prior to the commencement of excavation and construction works, and have been appropriately maintained during the works.

Reason: to ensure tree protection is provided and maintained.

Tree removal

The following existing trees impacted by development are granted approval for removal following assessment and recommendation in the Arboricultural Impact Assessment report prepared by Urban Arbor:

- tree 2 -Lemon Scented Tea Tree
- tree 3 - Jacaranda
- group 1 - Murraya shrub hedge

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection - General

A) Existing trees and vegetation shall be retained and protected as follows:

- i) all trees and vegetation within the site not impacted by development, excluding exempt trees and vegetation under the relevant planning instruments or legislation,
- ii) all trees and vegetation located on adjoining properties, as identified on the Landscape Plan and the Arboricultural Impact Assessment, including existing trees identified as tree 4, 5, 6, 7 and 8,
- iv) all road reserve trees and vegetation, as identified on the Landscape Plan and the Arboricultural Impact Assessment, including existing tree identified as tree 1.

B) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 Arborist,
- iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an Arborist. Details including photographic evidence of works undertaken shall be submitted by an AQF Level 5 Arborist to the Certifying Authority,
- v) to minimise the impact on trees and vegetation to be retained and protected, no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,
- viii) excavation for utility lines is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, to provide for root protection measures,
- ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
- x) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works, is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS 4970-2009,
- xi) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

Reason: to retain and protect significant planting on development and adjoining sites.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Landscape works

Landscaping is to be implemented in accordance with the Landscape Planting Plan LPP01-A, prepared by Selena Hannan Landscape Design, inclusive of the following requirements:

- i) the proposed Cupaniopsis anacardoides, which has become a self seeding species spreading into bushland, shall be replaced with a native tree achieving a similar height and spread as intended by the design,
- ii) all tree planting is to be installed at 75 litre container size,
- iii) all tree planting shall comply with 3.3.1 Landscaping Design, section b) item iii) where trees should be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter

sunlight as described in the clause, or where the proposed tree locations may otherwise be positioned to minimise any significant loss of views,

iv) all tree planting shall have a minimum individual area of 3 metres x 3 metres of soil area, and shall be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the approved plan and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an AQF Level 5 Arborist, shall be submitted to the Certifying Authority, assessing the health and impact of trees and vegetation required to be retained as a result of the proposed development, including the following information:

- i) compliance to Arborist recommendations for tree protection and excavation works.
- ii) extent of damage sustained by vegetation as a result of the construction works.
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: to retain and protect significant planting on development sites.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape maintenance

Any existing landscaping required to be retained together with any additional landscaping required by this Consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe natural life. Planting that may die or is removed must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

Environmental and priority weed control

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: preservation of environmental amenity.